

JUDGE JOHN H. CHUN

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff

vs.

DWIGHT HENLINE,

Defendant.

NO. 22-69 JHC

UNOPPOSED MOTION TO CONTINUE
TRIAL DATE AND MOTIONS
DEADLINE

David Hammerstad, counsel for Dwight Henline, moves this court to continue the trial in this case from June 20, 2023 to October 30 2023 and set a motions deadline approximately six weeks prior to trial. The government does not oppose this motion.

In support of the motion, counsel sets forth the following:

1. Mr. Henline is charged with Arson pursuant to 18 U.S.C. 844(i). Trial is currently scheduled for June 20, 2023.
2. This trial date was selected before undersigned counsel was appointed.

Undersigned counsel is available June 20-22, but unavailable the following two

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MOTION TO CONTINUE

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1 weeks because of previously scheduled family vacation. Counsel for the government
2 estimates this trial will take a minimum of four court days to try.

- 3 3. Based on the respective vacation and trial schedules of undersigned counsel and Ms.
4 Becker and Ms. Gregson, and court availability, the parties propose October 30, 2023
5 as a trial date.
- 6 4. Discovery in this case is voluminous, comprising seven productions thus far
7 containing nearly 5,000 pages in Bates-stamped discovery, including sizeable video,
8 audio, phone download and email search warrant return files. If the case proceeds to
9 trial, the defense expects the government to have a lengthy witness list, including
10 expert witnesses, which will require substantial defense investigation and preparation.
- 11 5. Given counsel's need to review discovery, investigate, and prepare necessary
12 motions, the ends of justice served by a continuance outweigh the best interests of the
13 public and the defendant in a speedy trial. 18 U.S.C. Section 3161(h)(7)(A), (B)(i),
14 (iv).

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16
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18 Dated this 1st day of March, 2023

19
20 /s/ David Hammerstad
21 David Hammerstad #34255
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MOTION TO CONTINUE

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CERTIFICATE OF SERVICE

I, David Hammerstad, hereby certify that on March 1, 2023, I electronically filed the foregoing *Motion to Continue* with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorneys of record for the Government.

/s/ David Hammerstad
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